IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 251 OF 2006

SHRI DATTAKRUPA CO-OPERATIVE HOUSING SOCIETY LTD.,PORVORIM GOA. ....Petitioner

Versus

SHRI RAGHUNATH MAHADEV SAWANT AND 6 ORS., ...Respondents

Mr. Dajvip V. Patkar, for the Petitioner.
Shri J.P. Mulgaonkar For R-1 To 4

Coram:- J. N. PATEL, J.

Date:- 29th November, 2006

P.C.:

Heard.

As the petitioner has impugned the Order dated 6.7.2005 passed by the Administrative Tribunal in Land Revenue Appeal No. 63/2003 on a limited issue i.e. the Tribunal has erred in directing the names of the parties that is the appellants before the Tribunal and respondents no.3 and 4 in the appeal, be recorded in survey records as having right to the said property and the access of 2.4 metres as available to all the members of the respondent No.1 Society, factually speaking there is no error or illegality committed by the Tribunal in the matter and the said part of the order is pursuant to an arrangement between the parties entered by way of a compromise decree in Regular Civil Suit No. 20/1986/B in the Court of Civil Judge J.D. at Mapusa under Agreement dated 24th July, 1992. Except that the Tribunal could not have directed mutation in the survey record, this was not the subject matter of the appeal.

The learned counsel for the parties submitted that the parties would

initiate appropriate proceedings so far as mutation of the properpty is concerned but they will abide by the compromise decree in terms of the Agreement dated 24th July,1992 which is reflected in the Order. In view of this, nothing survives in the petition. The same is accordingly disposed of.

J. N. PATEL, J.

sl.